

REMARKS

In the Advisory Action dated February 1, 2005, the Examiner has indicated that the same claim rejections, set forth in the October 25, 2004 Final Office Action, have been maintained.

Applicant presents this further submission to address the Examiner's rejections, and submits that the above application is in condition for allowance.

Claim Rejections:

Claims 1-7 are all of the claims pending in the present application, and currently claims 3-6 stand rejected.

35 U.S.C. § 112, 1st Paragraph Rejection - Claims 3-5:

Claims 3-5 stand rejected under 35 U.S.C. § 112, 1st paragraph as containing subject matter not specifically defined in the application as filed.

As an initial matter, Applicant notes that although the Examiner has indicated that claims 3-6 stand rejected, Applicant submits that this rejection applies only to claims 3-5, as claim 6 is an independent claim. Applicant proceeds under this presumption.

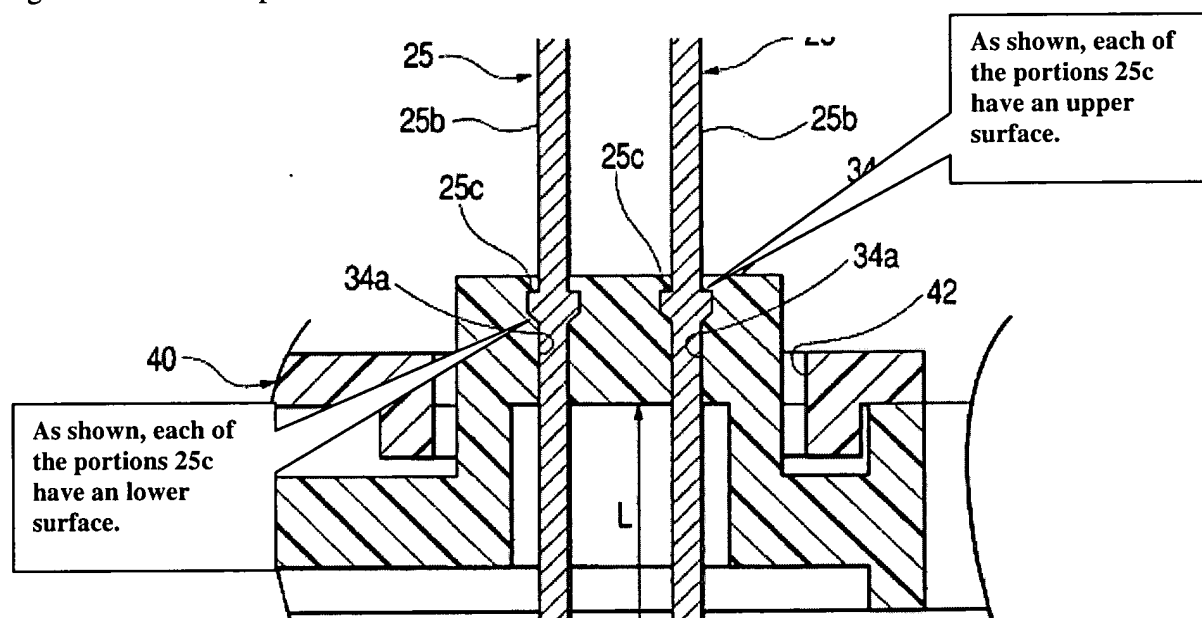
In rejecting claims 3-5, the Examiner asserts that there is no disclosure of the "retaining portion" set forth in claim 3. To show this, the Examiner relies on Figures 12 and 13, and asserts that these Figures, along with their corresponding discussions, show no "retaining portion." Further, in the Advisory Action, the Examiner states that "even if the projecting portions 25c are considered to be the retaining portion (Note they are not identified in the specification as being retaining portions), they do not have upper and lower surfaces."

Applicant, again, respectfully disagrees with the Examiner. Specifically, the present application states that the terminals of the present invention contain projecting portions 25c, and

that these “projecting portions 25c” are retained in the positioning holes 34a. *See* Specification, page 27, 1st full paragraph. This is also depicted in the non-limiting exemplary embodiment shown in Figure 9, where the portion 25c projects into the walls of the positioning hole 34a, and the portion 25c has both an upper and lower surface.

Applicant also notes that under 35 U.S.C. § 112 it is not required to use the exact same language in the claims, as appears in the written description. In this case, the portions 25c are retained in the holes 34a, and thus Applicant submits that the use of the term “retaining portion” is permitted. Further, Applicant submits that a skilled artisan would recognize that the portion 25c is a exemplary, non-limiting embodiment of a retaining portion, as set forth in the claims.

Additionally, Applicant submits that as clearly shown in at least Figure 9, the portions 25c have both upper and lower surfaces. To aid in the Examiner’s understanding, a portion of Figure 9 has been reproduced below.



As can be seen above, each of the portions 25c protrude from the sides of the terminal 25. Because of this protrusion, each of the portions 25c have both an upper and lower surface, which is clearly shown above. In fact, Applicant submits that the only way for the Examiner's assertions to be correct (i.e. there are no upper and lower surfaces) is for the portions 25c to be "two-dimensional," thus having no depth or thickness. Applicant submits that this is not the case, as both the terminal 25 and the portions 25c have a thickness. Because the portions 25c have a thickness, which a skilled artisan would recognize and understand, the fact that the portions 25c protrude, as shown above, creates both upper and lower surfaces.

In view of at least this disclosure, Applicant submits that the claimed "retaining portion" is sufficiently described and set forth in the present application, such that one of ordinary skill in the art would recognize that Applicants were possession of the claimed invention at the time the application was filed. Therefore, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 112, 1st paragraph rejection of these claims.

Further, as there is no pending prior art rejection of these claims, Applicant also submits that these claims are now allowable, with claims 1 and 2.

35 U.S.C. § 102(b) Rejection - Claim 6:

Claim 6 continues to stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Quillet reference (previously applied). In view of the following discussion, Applicant respectfully traverses the above rejection.

As an initial matter, Applicant notes that the Examiner provided a marked up Figure 3, of Quillet, as an attachment to the Final Office Action, dated October 25, 2004. In this attachment,

the Examiner asserts that the portion shown circled (by the item #31) is a "wide flat portion," as claimed in the present application. In the Advisory Action, the Examiner maintains this position.

However, for at least the same reasons set forth in the previous responses (filed September 29, 2004, and January 19, 2005), Applicant disagrees with the Examiner. In light of the Examiner maintaining this rejection, as well as providing a marked up attachment, Applicant has again carefully reviewed the Quillet reference and has found no indication that the terminal 3 is a flat-widened terminal.

As previously indicated, Figures 2 and 3, of Quillet, disclose a bent terminal 3. However, contrary to the Examiner's assertions there is no disclosure of the terminals having a wide-flat portion formed by being bent at an intermediate portion of the terminal. Applicant has reviewed Quillet in detail and has found no reference of the terminal having a wide-flat portion. In fact, as indicated previously, the terminals 3 are simply round terminals. Thus, for at least this reason, Applicant submits that Quillet fails to anticipate the claimed invention.

As argued previously, Quillet relates to an insulation, and the terminal of Quillet has a circular shape because the terminal is not considered a heat release. Stated differently, the terminal of Quillet is not being used to dissipate heat passing through or via the terminal. Because the terminal is not being used as a heat release there is no need to increase the surface area of the terminal. Thus, the terminal in Quillet is circular in cross-section. It is well known that to increase heat transfer or dissipation the surface area of the contact surfaces should be increased to increase the rate of heat transfer. However, because Quillet is not directed to this

and the terminals are not used to dissipate heat, they are round and do not have wide-flat portions.

Contrary to Quillet, the terminal of the claimed invention has the flat portion to be in contact with other portion for the heat release aspects of this portion. The flat portion causes high efficiency of the heat release. Therefore, Quillet fails to disclose each and every feature of the claimed invention.

Moreover, even if the Examiner wishes to ignore Applicant's arguments regarding the heat transfer aspects of the Quillet, Applicant notes that this does not change the fact that Quillet provides no discussion or disclosure regarding the shape of the terminal at the area in question. Further, the Examiner's speculation as to the shape in Quillet is insufficient to show that Quillet anticipates the claimed invention, as each element must be expressly or inherently present in the reference. This is simply not the case here.

If the Examiner wishes to maintain this position, Applicant respectfully requests the Examiner specifically identify the portions of Quillet upon which the Examiner is relying which the Examiner alleges discloses this claimed feature.

Request for Interview:

To make such identification, Applicant has filed concurrently herewith a Request for Interview. Applicant has filed this request so as to discuss with the Examiner, both of the above rejections. However, Applicant notes that such an interview is only deemed necessary if the Examiner continues to reject the pending claims. If the Examiner wishes to allow the present application, Applicant will waive the Request for Interview as unnecessary.

AMENDMENT UNDER 37 C.F.R. §1.114(c)
Application Number 10/091,183

Our Ref: Q68816
Art Unit: 2833

In view of the foregoing discussion, Applicant submits that Quillet fails to disclose each and every feature of the claimed invention. Therefore, Quillet fails to anticipate the claimed invention, as required under the provisions of 35 U.S.C. § 102(b). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(b) rejection of the claim 6.

Conclusion:

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

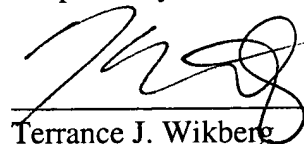
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CUSTOMER NUMBER

Respectfully submitted,



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